GOVERNMENT OF INDIA
LAW , JUSTICE AND COMPANY AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:806
ANSWERED ON:18.07.2002
ELECTION COMMISSION S DIRECTION REGARDING MODIFICATION IN NOMINATION FORMS
PAWAN KUMAR BANSAL;SHYAMA SINGH

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Election Commission has issued directions modifying the nomination forms for election to Lok Sabha, Rajya Sabha and the State Legislatures;

(b) if so, the details thereof; and

(c) the response of the Government thereto and the consequences of non-compliance or furnishing of wrong information in the modified nomination form or the affidavit attached thereto?

Answer

MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHI)

(a) to(c) In pursuance of the directions of the Supreme Court as contained in its judgement dated 2.5.2002 directing the Election Commission of India to call for certain additional information on affidavit from the candidates at elections as part of the nomination form, the Election Commission has issued an Order dated 28.6.2002 directing that every candidate at the time of filing his nomination paper for any election shall furnish full and complete information in regard to all the five matters, specified by the Supreme Court in aforesaid judgement, on an affidavit, in prescribed format. The Government has discussed the issue with the political parties on 8.7.2002 wherein unanimous view was taken that only Parliament had power to legislate on election laws. There was also agreement that there was need to curb criminalisation in politics by enacting suitable legislation in consultation with the political parties. Until the legislation is enacted, the directions issued by the Election Commission would be binding and the furnishing of false information on affidavit in that case may attract penal action under the Indian Penal Code.